

1 SCHIFF HARDIN LLP
2 Stephen M. Hankins (CSB #154886)
3 Jeffrey V. Commissio (CSB #191267)
4 One Market, Spear Street Tower, 32nd Floor
5 San Francisco, CA 94105
6 Telephone: (415) 901-8700
7 Facsimile: (415) 901-8701

8 TROUTMAN SANDERS LLP¹
9 J. Kirk Quillian, Bar No. 591150
A. William Loeffler, Bar No. 755699
William M. Droze, Bar No. 231039
5200 Bank of America Plaza
600 Peachtree Street, N.E.
Atlanta, GA 30308-2216
Telephone: (404) 885-3000
Facsimile: (404) 885-3900

10 Attorneys for Defendant
11 WYNDHAM RESORT DEVELOPMENT
12 CORPORATION

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15
16 CLARKE and REBECCA WIXON and
17 NORMAN and BARBARA WIXON,
derivatively and on behalf of themselves
and all other similarly situated,

18 Plaintiffs,
19 v.
20 WYNDHAM RESORT DEVELOPMENT
21 CORP. (f/k/a Trendwest Resorts, Inc.),
GENE HENSLEY, DAVID HERRICK,
JOHN HENLEY, PEGGY FRY, JOHN
McCONNELL, and nominally,
WORLDMARK, THE CLUB,

22 Defendants.

23 Case No. C 07-02361 JSW

24 [PROPOSED] ORDER GRANTING IN
PART PLAINTIFFS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
(Dkt. No. 386)

25 CLASS AND DERIVATIVE ACTION

26 Judge: Hon. Jeffrey S. White

27
28 ¹ Admitted *pro hac vice*.

1 Plaintiffs filed an Administrative Motion to File Under Seal Pursuant to Protective Order
 2 and Civil Local Rule 79-5(d): [1] Declaration of Elizabeth C. Pritzker in Support of Plaintiffs'
 3 Objection to Special Master's July 17, 2009 Report and Recommendation; and [2] Supplemental
 4 Declaration of Jonathan K. Levine in Further Support of Plaintiffs' Motion for Class Certification
 5 (Dkt. No. 386) ("Plaintiffs' Motion to Seal"). Defendant Wyndham Resort Development
 6 Corporation ("WRDC") has filed a Declaration of Alan S. Litwack ("Litwack Declaration") in
 7 response to Plaintiffs' Motion to Seal. The Court having considered the parties' submissions, and
 8 for other good cause shown, hereby GRANTS in part Plaintiffs' Motion to Seal, finding as
 9 follows:

10 WRDC has withdrawn the confidentiality designation as to Exhibits A, B, C, and D to the
 11 Declaration of Elizabeth C. Pritzker in Support of Plaintiffs' Objection to Special Master's July
 12 17, 2009 Report and Recommendation (Dkt. No. 388) and as to Exhibits 2 and 3 to the
 13 Supplemental Declaration of Jonathan K. Levine in Further Support of Plaintiffs' Motion for
 14 Class Certification (Dkt. No. 390) ("Levine Declaration"); therefore, those documents may be
 15 filed in open court. Plaintiffs shall file the documents in the public record by August 14, 2009.

16 Exhibit 1 to the Levine Declaration contains confidential, proprietary, and commercially
 17 sensitive information, which WRDC has protected from public disclosure and which, if disclosed
 18 publicly, could harm WRDC's competitive and financial position. Accordingly, the Court holds
 19 that Exhibit 1 to the Levine Declaration shall remain under seal.

20
 21
 22
IT IS SO ORDERED.

23
 24 Dated August 11, 2009.

25
 26
 27
 28



HONORABLE JEFFREY S. WHITE